

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 2008-366-C - ORDER NO. 2008-821  
DECEMBER 9, 2008

IN RE: Application and Revised Tariff Pages of	)	ORDER APPROVING
Bell Atlantic Communications, Inc. d/b/a	)	TARIFF REVISIONS
Verizon Long Distance for Approval of a	)	
Maximum Rate Revision to Its Monthly	)	
Recurring Charge (MRC) to the Plan B	)	
Service (Best Times)	)	

This matter comes before the Public Service Commission of South Carolina (“Commission”) on the application of Bell Atlantic Communications, Inc. d/b/a Verizon Long Distance (“Verizon”) for a tariff revision, which would increase the maximum and current rates for Verizon’s Plan B Service Monthly Recurring Charge (“MRC”). Verizon proposes to increase the Plan B Service MRC maximum rate to \$11.95 and to increase the current Plan B Service MRC rate to \$6.95. Verizon published its Notice of Filing in connection with its application in *The State* newspaper on October 2, 2008. Subsequent to the publication of the Notice of Filing, no parties intervened in this matter on or before the October 30, 2008 deadline to intervene.

Upon its review of the proposed tariffs and rate schedules submitted by Verizon, the Office of Regulatory Staff (“ORS”) sought to enter into a comprehensive settlement resolving all issues with regard to the application, and on or about November 3, 2008, Verizon and the ORS entered into a Settlement Agreement, attached to this Order as Exhibit 1. Under the terms of the Settlement Agreement, Verizon agrees to provide a

minimum of thirty (30) days' notice to current subscribers of its Plan B Service MRC of the increase in rates requested in this matter prior to their being implemented and charged to its current customers, and the Parties agree that Verizon should be granted the requested increase in its maximum rates for its Plan B Service MRC and make the requested revisions to its tariff on file with the Commission. The Parties now seek approval of their Settlement Agreement by the Commission.

By statute, the Commission is vested with power and jurisdiction to supervise and regulate the rates and service of every public utility in this State and to fix such just and reasonable standards, classifications, regulations, practices and measurements of service to be furnished, imposed, or observed and followed by every public utility in this State. S.C. Code Ann. Section 58-3-140 (A) (Supp. 2007).

Further, the Settlement Policies and Procedures of the Commission (Revised 6/13/2006) are pertinent to the matter before the Commission and consistent with its statutory duties. Section II of that document ("Consideration of Settlements") states:

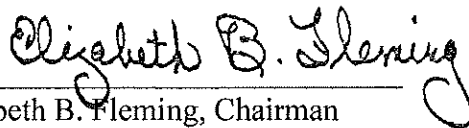
When a settlement is presented to the Commission, the Commission will prescribe procedures appropriate to the nature of the settlement for the Commission's consideration of the settlement. For example, the Commission may summarily accept settlement of an essentially private dispute that has no significant implications for regulatory law or policy or for other utilities or customers upon the written request of the affected parties. On the other hand, when the settlement presents issues of significant implication for other utilities, customers, or the public interest, the Commission will convene an evidentiary hearing to consider the reasonableness of the settlement and whether acceptance of the settlement is just, fair, and reasonable, in the public interest, or otherwise in accordance with law or regulatory policy. Approval of such

settlements shall be based upon substantial evidence in the record.


The requested tariff revisions at issue in this docket do not represent a general rate increase and do not impact the general body of ratepayers. Furthermore, no intervenors have made appearances to object or otherwise request to be heard in this docket. Therefore, we approve and adopt the Settlement Agreement entered into by Verizon and ORS as consistent with the public interest.

This Order shall remain in full force and effect until further order of the Commission.

BY ORDER OF THE COMMISSION:

  
Elizabeth B. Fleming, Chairman

ATTEST:

  
John E. Howard, Vice Chairman  
(SEAL)

**BEFORE**  
**THE PUBLIC SERVICE COMMISSION OF**  
**SOUTH CAROLINA**  
**DOCKET NO. 2008-366-C**

**October 31, 2008**

IN RE:

Application, Revised Tariff Pages, and Proposed )  
Notice of Filing of Bell Atlantic Communications, )  
Incorporated d/b/a Verizon Long Distance )  
For Approval of an Increase of a Maximum )  
Rate Revision to Its Monthly Recurring Charge )  
To the Plan B Service (Best Times Plan) )

**SETTLEMENT AGREEMENT**

This Settlement Agreement ("Settlement Agreement") is made by and among the Office of Regulatory Staff ("ORS") and Bell Atlantic Communications, Incorporated d/b/a Verizon Long Distance ("Verizon" or "Company") (collectively referred to as the "Parties" or sometimes individually as "Party");

WHEREAS, on September 25, 2008, Verizon filed an application requesting a tariff revision, which the Company requested to become effective on November 1, 2008. This filing would increase the maximum and current rates for the Company's Plan B Service Monthly Recurring Charge (MRC). The Company proposes to increase the Plan B Service MRC maximum rate to \$11.95. If approved by the South Carolina Public Service Commission ("Commission"), the Company plans to increase the current Plan B Service MRC rate from \$5.95 to \$6.95;

WHEREAS, in accordance with the directive of the Commission, on October 13, 2008 the Company filed with the Commission proof of publication of the Notice of Filing in this matter in *The State* newspaper on or about October 2, 2008, and;

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WHEREAS, no other parties have intervened in this matter by the last intervention date of October 30, 2008, as stated in the aforesaid public notice, and;

WHEREAS, since the filing of the notice, ORS has reviewed the proposed tariffs and rate schedules submitted by Verizon;

WHEREAS, to ensure compliance with the Commission's statutes and regulations, the Parties have agreed to the following comprehensive settlement of all issues in this docket;

WHEREFORE, in the spirit of compromise, the Parties hereby stipulate and agree to the following terms and conditions;

1) The Parties agree to stipulate into the record before the Commission this Settlement Agreement;

2) Verizon agrees to provide a minimum of thirty (30) days' notice to current subscribers of its Plan B Service MRC of the increase in rates requested in this matter prior to their being implemented and charged to such current customers;

3) The Parties agree that the Company should be granted the requested increase in its maximum rates for its Plan B Service MRC and to make the requested revisions to its tariff on file with the Commission;

4) ORS is charged by law with the duty to represent the public interest of South Carolina pursuant to S.C. Code § 58-4-10(B) (Supp. 2007). S.C. Code § 58-4-10(B)(1) through (3) reads in part as follows:

... 'public interest' means a balancing of the following:

- (1) concerns of the using and consuming public with respect to public utility services, regardless of the class of customer;
- (2) economic development and job attraction and retention in South Carolina; and
- (3) preservation of the financial integrity of the State's public utilities and continued investment in and maintenance of utility facilities so as to provide reliable and high quality utility services.

ORS believes the Settlement Agreement reached among the Parties serves the public interest as defined above;

5) The Parties agree to advocate that the Commission accept and approve this Settlement Agreement in its entirety as a fair, reasonable and full resolution of all issues in the above-captioned proceeding and to take no action inconsistent with its adoption by the Commission. The Parties further agree to cooperate in good faith with one another in recommending to the Commission that this Settlement Agreement be accepted and approved by the Commission. The Parties agree to use reasonable efforts to defend and support any Commission order issued approving this Settlement Agreement and the terms and conditions contained herein;

6) The Parties agree that signing this Settlement Agreement will not constrain, inhibit, impair, or prejudice their arguments or positions held in other collateral proceedings, nor will it constitute a precedent or evidence of acceptable practice in future proceedings. If the Commission declines to approve the Settlement Agreement in its entirety, then any Party desiring to do so may withdraw from the Settlement Agreement without penalty or obligation.

7) This Settlement Agreement shall be interpreted according to South Carolina law;

8) The above terms and conditions fully represent the agreement of the Parties hereto. Therefore, each Party acknowledges its consent and agreement to this Settlement Agreement by affixing its signature or by authorizing its counsel or authorized representative to affix his or her signature to this document where indicated below. The signature of the parties counsel or authorized representative represents his or her representation that his or her client has authorized the execution of the agreement. Facsimile signatures and e-mail signatures shall be as effective as original signatures to bind any party. This document may be signed in counterparts, with the various signature pages combined with the body of the document constituting an original and provable copy of this Settlement Agreement. The Parties agree that in the event any

Party should fail to indicate its consent to this Settlement Agreement and the terms contained herein, then this Settlement Agreement shall be null and void and will not be binding on any Party.

WE AGREE:

**Representing the Office of Regulatory Staff**

Shealy Boland Reibold  
Shealy Boland Reibold, Esquire  
**Office of Regulatory Staff**  
1401 Main Street, Suite 900  
Columbia, SC 29201  
Phone: (803) 737-0800  
Fax: (803) 737-0895  
E-mail: [sreibol@regstaff.sc.gov](mailto:sreibol@regstaff.sc.gov)

WE AGREE:

**Representing Bell Atlantic Communications, Inc. d/b/a  
Verizon Long Distance**

Vincent J. Woodbury

Vincent J. Woodbury  
President -- Verizon Long Distance